

**REMARKS**

By this Amendment, Applicant amends claims 1, 2 and 10 to further clarify the invention. No new matter is added. Support for the amendment can be found throughout the specification, e.g., at page 3 of the specification as filed. Accordingly, claims 1-13 are all the claims currently pending in the application.

Claims 1-3 and 5-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,261,043 to Wolber et al. (hereinafter “Wolber”) and WO 99/66651 to Elsbree (hereinafter “Elsbree”). Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Wolber and Elsbree and further in view of U.S. Patent Application No. 2002/0156969 to Tadokoro et al. (hereinafter “Tadokoro”).

Applicant thanks the Examiner for the courteous telephonic interview on November 6, 2008. A Statement of Substance of the Interviews is as follows:

During the interview, the prior art of record was discussed with respect to claims 1 and 10. In addition, proposed amendments of claims 1 and 10 were discussed to include “wherein the data type is selected from the group consisting of process data, status data, control data and regulating data.” This feature is not disclosed or suggested in Wolber in view of Elsbree. The Examiner indicated that the above-quoted feature of amended claims 1 and 10 would tentatively overcome the prior art of record. However, further search would be required.

In view of the foregoing and to expedite the prosecution of the above-identified application, Applicant has amended independent claims 1 and 10. Applicant respectfully submits that independent claims 1 and 10 are patentable over the prior art of record. Claims 2-9

AMENDMENT UNDER 37 C.F.R. § 1.114 (c) AND  
STATEMENT OF SUBSTANCE OF THE INTERVIEW  
U.S. Appln. No.: 10/773,433

Attorney Docket No.: Q78997

and 11-13 are patentable at least by virtue of their dependencies from claims 1 and 10,  
respectively.


Entry and consideration of this Amendment are respectfully requested.

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF  
INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

**It is believed that no petition or fee is required.** However, if the USPTO deems  
otherwise, Applicant hereby petitions for any extension of time which may be required to  
maintain the pendency of this case, and any required fee, except for the Issue Fee, for such  
extension is to be charged to Deposit Account No. 19-4880.

In view of the above, reconsideration and allowance of this application are now believed  
to be in order, and such actions are hereby solicited. If any points remain in issue which the  
Examiner feels may be best resolved through a personal or telephone interview, the Examiner is  
kindly requested to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,

  
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CUSTOMER NUMBER

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